

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	)	<u>PATENT APPLICATION</u>
	)	
Inventors: Ching, et al.	)	
	)	Art Unit: 2661
Application No.: 10/776,334	)	
	)	Examiner: Nguyen, B.
Filed Date: January 28, 2004	)	
	)	
Title: ADAPTIVE-ALLOCATION OF I/O	)	
BANDWIDTH USING A CONFIGURABLE	)	
INTERCONNECT TOPOLOGY	)	Customer No.: 38456
	)	

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**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On August 24, 2006, the Patent Office issued a Notice of Allowance and Fee(s) Due indicating that the issue and publication fees are due on November 24, 2006 for the above-identified patent application ("application"). A copy of the Notice of Allowance is attached.

On September 20, 2006, applicant's attorney reviewed the Transaction History displayed in PAIR for the application and noted that on 08-24-2006 there is a Transaction Description of "Mail Formal Drawings Required". A print-out of the Transaction History is also attached. However, applicant never received a notice of formal drawings required.

A review of the file indicates that in the Office Action dated December 28, 2005, the Examiner accepted the drawings which were filed with the application on January 28, 2004.

Therefore, applicant's attorney believes that formal drawings are **not** required for the application, however, if formal drawings are required it is respectfully requested the USPTO notify the below-identified attorney as soon as possible.

Respectfully submitted,

Date: November 1, 2006

By: /Kirk J. DeNiro/  
Kirk J. DeNiro  
Reg. No. 35,854

VIERRA MAGEN MARCUS & DENIRO LLP  
575 Market Street, Suite 2500  
San Francisco, CA 94105-2871  
Telephone: (415) 369-9660  
Facsimile: (415) 369-9665



# UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

SEP 07 2006

VIERRA MAGEN  
MARCUS & DENIRO LLP

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

08/24/2006

kirk J. DeNiro, Esq.

Vierra, Magen, Marcus, Harmon & DeNiro LLP

685 Market Street

Suite 540

San Francisco, CA 94105

Vierra Magen Marcus & DeNiro

File: RAMB-01050USO

Action: Issue fee due

Due Date: November 24, 2006

Final Due Date:

Atty: LJD Dkt Verify SM

EXAMINER

NGUYEN, BRIAN D

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 08/24/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/766,334

01/28/2004

Michael Ching

RAMB-01050USO

3273

TITLE OF INVENTION: ADAPTIVE-ALLOCATION OF I/O BANDWIDTH USING A CONFIGURABLE INTERCONNECT TOPOLOGY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	11/24/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

08/24/2006

kirk J. DeNiro, Esq.  
 Vierra, Magen, Marcus, Harmon & DeNiro LLP  
 685 Market Street  
 Suite 540  
 San Francisco, CA 94105

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/766,334

01/28/2004

Michael Ching

RAMB-01050US0

3273

TITLE OF INVENTION: ADAPTIVE-ALLOCATION OF I/O BANDWIDTH USING A CONFIGURABLE INTERCONNECT TOPOLOGY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

NO

\$1400

\$300

\$0

\$1700

11/24/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
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NGUYEN, BRIAN D

2616

370-468000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev. 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,334	01/28/2004	Michael Ching	RAMB-01050US0	3273

7590 08/24/2006

kirk J. DeNiro, Esq.  
Vierra ,Magen, Marcus, Harmon & DeNiro LLP  
685 Market Street  
Suite 540  
San Francisco, CA 94105

EXAMINER	
NGUYEN, BRIAN D	
ART UNIT	PAPER NUMBER

2616  
DATE MAILED: 08/24/2006

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 181 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 181 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

Application No.

10/766,334

Applicant(s)

CHING ET AL.

Examiner

Art Unit

Brian D. Nguyen

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/30/06.
2. ☒ The allowed claim(s) is/are 1,4-16,23-24,31-40,42,17-22,25,27-28,30 (renumbered 1-37, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

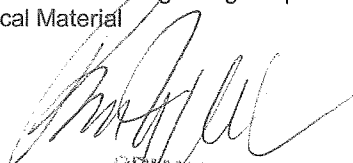
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 2/27/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060731.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
BRIAN NGUYEN  
PRIMARY EXAMINER

7/31/06

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Kirk DeNiro on 7/31/06.

3. The application has been amended as follows:

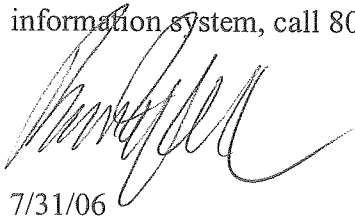
**Claim 78**, line 2, replace "the data" with --a data packet--.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D. Nguyen whose telephone number is (571) 272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



7/31/06

**BRIAN NGUYEN**  
**PRIMARY EXAMINER**



<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/766,334	<b>Applicant(s)</b> CHING ET AL.	
	<b>Examiner</b> Brian D. Nguyen	<b>Art Unit</b> 2616	

**All Participants:**

(1) Brian D. Nguyen.

(2) Kirk DeNiro.

**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_.

(4) \_\_\_\_\_.

**Date of Interview:** 31 July 2006
**Time:** \_\_\_\_\_

**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description: \_\_\_\_\_.

**Part I.**

Rejection(s) discussed:

Claims discussed:

7

Prior art documents discussed:

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*Claim 7 is amended to correct the informalities.*

**Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

IDS - 02/27/2006 **ELECTRONIC INFORMATION DISCLOSURE STATEMENT**

Electronic Version v18

Stylesheet Version v18.0

Title of Invention	ADAPTIVE-ALLOCATION OF I/O BANDWIDTH USING A CONFIGURABLE INTERCONNECT TOPOLOGY						
<div>Application Number : 10/766334 </div> <div>Confirmation Number: 3273</div> <div>First Named Applicant: Michael Ching</div> <div>Attorney Docket Number: RAMB-01050US0</div> <div>Art Unit: 2661</div> <div>Examiner: Brian D Nguyen</div> <div>Search string: ( 20030065845 or 20030221061 ).pn</div>							
<p><u>Certification:</u> This Information Disclosure Statement was submitted under the following conditions, which satisfies the requirement under 37 CFR 1.97(e). The filer certified:</p> <p>That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.</p>							
<b>US Published Applications</b>							
<b>Note: Applicant is not required to submit a paper copy of cited US Published Applications</b>							
init	Cite.No.	Pub. No.	Date	Applicant	Kind	Class	Subclass
BN	1	20030065845	2003-04-03	Riley			
BN	2	20030221061	2003-11-27	El-Batal et al.			
<b>Signature</b>							
Examiner Name				Date			
/Brian Nguyen/				07/31/2006			



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10/766,334      ADAPTIVE-ALLOCATION OF I/O BANDWIDTH USING A CONFIGUR  
TOPOLOGY

Application Data	Transaction History	Image File Wrapper	Patent Term Adjustments	Continuity Data	Published Documents	Publication Dates	Adm Attorn
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**Transaction History**

Date	Transaction Description
10-03-2006	TC Return to Pubs
09-21-2006	Pubs Case Remand to TC
10-03-2006	Mail Examiner's Amendment
09-28-2006	Examiner's Amendment Communication
09-21-2006	Pubs Case Remand to TC
08-24-2006	Mail Notice of Allowance
08-24-2006	Mail Formal Drawings Required
08-24-2006	Mail Examiner's Amendment
08-08-2006	Formal Drawings Required
08-08-2006	Notice of Allowance Data Verification Completed
08-02-2006	Examiner's Amendment Communication
02-27-2006	Information Disclosure Statement considered
06-30-2006	Miscellaneous Incoming Letter
07-11-2006	Date Forwarded to Examiner
06-30-2006	Response after Non-Final Action
06-30-2006	Request for Extension of Time - Granted
03-21-2006	Case Docketed to Examiner in GAU
02-27-2006	Electronic Information Disclosure Statement
02-24-2006	IFW TSS Processing by Tech Center Complete
12-28-2005	Mail Non-Final Rejection
12-27-2005	Non-Final Rejection
11-12-2004	Information Disclosure Statement considered
12-08-2005	Case Docketed to Examiner in GAU
11-12-2004	Electronic Information Disclosure Statement
06-09-2005	Correspondence Address Change
02-23-2005	Transfer Inquiry to GAU

08-06-2004	Application Return from OIPE
08-06-2004	Application Return TO OIPE
08-06-2004	Application Dispatched from OIPE
08-06-2004	Application Is Now Complete
07-09-2004	Additional Application Filing Fees
07-09-2004	Applicant has submitted new drawings to correct Corrected Papers
06-17-2004	Corrected Paper
03-11-2004	Cleared by OIPE CSR
02-06-2004	IFW Scan & PACR Auto Security Review
01-28-2004	Initial Exam Team nn

*If you need help:*

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail about Patent Application Information Retrieval (PAIR).*
- *Send general questions about USPTO programs to the [USPTO Contact Center \(UC\)](#)*
- *If you experience technical difficulties or problems with this application, please re [Business Support](#) or call 1 800-786-9199.*

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